IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

CRIMINAL APPEAL No. 246 of 2004

For Approval and Signature:

HONOURABLE MR.JUSTICE RAVI R.TRIPATHI

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1 Whether Reporters of Local Papers may be allowed to see the judgment?

2 To be referred to the Reporter or not?

3 Whether their Lordships wish to see the fair copy of the judgment?

4 Whether this case involves a substantial question of law as to the interpretation of the constitution of India, 1950 or any order made thereunder?

5 Whether it is to be circulated to the civil judge?

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BABU NANJI MAKWANA KOLI
Versus
STATE OF GUJARAT

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Appearance :
MR NIRAV C THAKKAR for the Appellant
MR HL JANI, ADDITIONAL PUBLIC PROSECUTOR for the Opponent

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CORAM : HONOURABLE MR.JUSTICE RAVI R.TRIPATHI

Date : 21/12/2006

ORAL JUDGMENT

1. The matter is notified on board for orders with an Office submission.

It is stated in the Office submission that:

> ".....the Registry has received a letter dated 21/10/2006 sent by Dy.Superintendent, Central Prison, Ahmedabad stating therein that, convict–prisoner Babubhai Nanjibhai Makwana (Ori. Accd. in S.C. No.16/2000 of the Court of ld. Addl. S.J., F.T. Court No.4, Jamnagar) has expired on 21/10/2006 during medical treatment."

The letter is on record.

The letter is addressed to this Court by the Dy.Superintendent, Ahmedabad Central Prison. Last paragraph of the letter reads as under:

> "D.S.P. Janmagar, Jamnagar City Police Station is requested to inform his relatives of the said prisoner Resident At 2, Subhashpura, Shankar Tekri, Near Bhanubha's Shop, Jamnagar.

2. In view of the fact that the appellant – original accused has expired, the Appeal has abated and the same is disposed of accordingly.

(RAVI R.TRIPATHI, J.)

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